

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

UNITED STATES OF AMERICA,)	Case No. 3:17-CR-00811-MGL
)	
v.)	
)	
TERRENCE VERNON DUNLAP,)	MOTION FOR JUDGMENT OF
)	ACQUITTAL
Defendant.)	
)	
)	

Now comes, Terrence Vernon Dunlap, who renews all prior motions made by counsel at trial and moves before the Court pursuant to Rule 29 of the Federal Rules of Criminal Procedure for a judgment of acquittal as to Counts 1, 21 and 49.

On August 21, 2019 the jury in this case returned a verdict of guilty as to Counts 1, 21 and 49. During trial, the Defendant moved through counsel for a judgment of acquittal pursuant to Rule 29 and now moves to renew those Motions for a judgment of acquittal pursuant to Rule 29(c).

The Defendant avers that the Government failed to present sufficient proof from which any rational juror could conclude beyond a reasonable doubt the guilt of this Defendant on Counts 1, 20, 21 and 49 and therefore the evidence is insufficient to sustain a conviction.

The evidence is insufficient to sustain the requisite burden of proof by the Government for a rational jury to find the existence of the conspiracy in Count 1 and the Defendant's membership in the conspiracy.

With respect to Count 21 the evidence is insufficient to support a finding by a rational jury that the Defendant used a communication device to facilitate the commission of a felony under the Controlled Substance Act.

The Defendant further avers that the evidence presented as to Count 49 is in sufficient to sustain a finding by a national jury that the Defendant Possessed with Intent to Distribute or Distributed Cocaine Base.

The Defendant further avers because the evidence was insufficient to support a conviction with respect to Counts 1, 21 and 49, he is entitled to judgment of acquittal.

Wherefore, the Defendant hereby reincorporates all of the previous arguments for his motions under Rule 29 as previously made to the Court and for the reasons as stated herein the Defendant requests the Court to grant a judgment of acquittal.

Respectfully submitted,

/s/Jonathan Harvey
Jonathan Harvey
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1701 Richland Street
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(803)779-3363

Attorney for Defendant

Columbia, South Carolina

August 29, 2019

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

UNITED STATES OF AMERICA,)	Case No. 3:17-CR-00811-MGL
)	
v.)	
)	
TERRENCE VERNON DUNLAP,)	CERTIFICATE OF CONSULTATION
)	
Defendant.)	
)	

I, Jonathan Harvey, attorney for the above-captioned Defendant, do hereby certify that consultation with opposing counsel would serve no useful purpose to resolve the matters addressed in Defendant's Motion for Judgment of Acquittal (Rule 29).

Respectfully submitted,

/s/Jonathan Harvey
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Federal ID #1759
1701 Richland Street
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Attorney for Defendant

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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

UNITED STATES OF AMERICA,)	Case No. 3:17-CR-00811-MGL
)	
v.)	
)	
TERRENCE VERNON DUNLAP,)	CERTIFICATE OF MAILING
)	
Defendant.)	
)	
)	

I, Jonathan Harvey, Esquire, do hereby certify that I mailed a true and correct copy of Defendant's Motion for Judgment of Acquittal (Rule 29) and New Trial (Rule 33) in the above-captioned case, via the Court's e-noticing system, but if that means fails, then by regular mail, on the following person(s):

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August 29, 2019